

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-6 and 8-27 are pending in this application. Claims 1-6 and 8-15 are amended and claim 7 is cancelled. Claims 16-32 are new claims. Claims 1 and 12-15 are independent claims.

Applicants note with appreciation the Examiner's acknowledgement that certified copies of all priority documents have been received by the U.S.P.T.O. Action, summary at 12.

Applicants also respectfully note the present action indicates that the drawings have been accepted by the Examiner. Action, summary at 10.

Rejections under 35 U.S.C. § 101

Claims 1-11 are rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicants respectfully traverse this rejection for the reasons detailed below.

The Examiner suggests amending the claims to include “‘computer-readable medium’ in order to make the claim statutory.” To expedite prosecution, Applicants have amended the claims according to the Examiner's suggestion. In further support, MPEP 2106.01 states that “a claimed **computer-readable medium encoded with a data structure** defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus **statutory**.” Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection to the above claims.

Rejections under 35 U.S.C. § 102

Claims 1, 5-9, and 13 are rejected under 35 U.S.C. § 102(e) as being anticipated by Bae et al. (US 2003/0188312 A1, herein “Bae”). Applicants respectfully traverse this rejection for the reasons detailed below.

Claims 1 and 13 are amended to include the subject matter of claim 7. Specifically, amended claims 1 and 13 include “the local style information providing font information for at least a portion of the text subtitle data **following sequentially after the local style information.**”

On Pg. 4, Ln. 7-9 of the Office Action, the Examiner relies upon Fig. 6 of Bae as disclosing the above subject matter. In Bae, however, the **contents of the subtitle are not sequentially recorded after the font information.** Instead, Bae shows the Contents of Subtitle to be **separate** from the font information in Fig. 6. More specifically, the Font Name, Font Size and Font Color are located in the Subtitle Head Information 90 while the Contents of Subtitle are located in the Subtitle Text Information S94. Moreover, in the Subtitle Text Information, each portion of the Contents of Subtitle is shown to be sequentially alongside a Frame Number but **not the related font information for that portion of the content.** Therefore, Bae fails to teach or suggest “font information for at least a portion of the text subtitle data following sequentially after the local style information,” as recited in claims 1 and 13.

Applicants, therefore, respectfully request that the rejection to claims 1 and 13 under 35 U.S.C. § 102(e) be withdrawn. Claims 5-9, dependent on independent claim 1, are patentable for the reasons stated above with respect to claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection to the above claims.

Rejections under 35 U.S.C. § 103

Claims 2-4, 12, 14, and 15

Claims 2-4, 12, 14, and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bae in view of Tsukagoshi et al. (5,848,217, herein “Tsukagoshi”). Applicants respectfully traverse this rejection for the reasons detailed below.

Even assuming *arguendo* that Tsukagoshi could be combined with Bae (which Applicants do not admit), Tsukagoshi still fails to remedy the deficiencies of Bae with respect to independent claims 1 and 13. Dependent claims 2-4 are patentable by virtue of their dependency on independent claim 1. Amended independent claims 12, 14 and 15 are at least somewhat similar to claims 1 and 13 and therefore patentable for at least somewhat similar reasons. Applicants, therefore, respectfully request that the rejection to claims 2-4, 12, 14, and 15 under 35 U.S.C. § 103(a) be withdrawn.

Claims 10 and 11

Claims 10 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bae in view of Kashima (US 2002/0087999 A1, herein “Kashima”). Applicants respectfully traverse this rejection for the reasons detailed below.

Even assuming *arguendo* that Kashima could be combined with Bae (which Applicants do not admit), Kashima still fails to remedy the deficiencies of Bae with respect to independent claim 1. Applicants, therefore, respectfully request that the rejection to claims 10 and 11 under 35 U.S.C. § 103(a) be withdrawn.

New Claims

Applicants respectfully submit that new dependent claims 16-27 are patentable by virtue of their dependency on one of independent claims 12-15. Further, claims 16-32 include the subject matter of one of original dependent claims 1, 2, 3 and 9, and thus, are also believed to be allowable for at least somewhat similar reasons.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Pursuant to 37 C.F.R. §1.17 and 1.136(a), Applicant(s) hereby petition(s) for a two (2) month extension of time for filing a reply to the outstanding Office Action and submit the required \$460.00 extension fee herewith.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura, Reg. No. 35,416, at the telephone number of the undersigned below.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

For



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